23. Mír Najaf Alí Khán *valad* Mír Alí Akbar Khán, Talpur.[1]
24. Mír Rustom Khán II, son of H. H. Mír Imámbux Khán, Talpur.[2]
25. Bibi Hawa, widow of H. H. Mír Shah Nawáz Khán.[3]
26. Bibi Sami, eldest daughter of H. H. Mír Shah Nawáz Khán.[3]
27. Bibi Dhayani, third daughter of H. H. Mír Shah Nawáz Khán.[3]
28. Mír Ghulam Alí Khán, the eldest son of Mír Ghulam Shah Khán.[3]
29. Ghulam Shah Khán.[3]
30. Mír Fazal Hussain Khán, son of Mír Sohab Khán, the second son of H. H. Mír Muhammad Hussain Khán.[3]
31. Bibi Chanan, the senior widow of Mír Alí Hyder Khán, the grandson of H. H. the late Mír Mubárak Khán.[3]

BOMBAY ACT No. XIII OF 1866.[4]

[THE LEGISLATIVE COUNCIL WITNESSES ACT, 1866.][4]

[15th November, 1866.]

An Act to provide for the Attendance and Examination of Witnesses before the Council of the Governor of Bombay assembled for the purpose of making Laws and Regulations.

Preamble.

WHEREAS it is expedient to make provision for the attendance of witnesses before the Council of the Governor of Bombay, assembled for the purpose of making Laws and Regulations and for the examination of such witnesses; It is enacted as follows:—

Governor may by summons require person to appear before Council.

1. It shall be lawful for the Governor of Bombay, by a summons under the hand of the Secretary, to require the attendance before the Council of the Governor of Bombay assembled for the purpose of making Laws and Regulations, at a time and place to be mentioned in such summons, of any person residing or being within the Presidency of Bombay, whose evidence shall, in the judgment of the said Council, be material with reference to any measure, Bill or Act then under consideration by the said Council,

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[1] This name was added by Notification under the powers conferred by s. 2 of Bom. Act 3 of 1868, *infra*. *See* Bom. Govt. Gazette, 1896, Pt. I, pp. 355 and 1334.

[2] *Ibid*, 1897, Pt. I, p. 1885.

[3] *Ibid*, 1898, Pt. I, p. 644, and *ibid*, 1899, pp. 72 and 355, respectively.

[4] For Statement of Objects and Reasons, *see* Bombay Government Gazette, Supplement, 1866, p. 388, and for Proceedings in Council, *see ibid*, pp. 400, 409 and 415.

The short title was given by the Bombay Short Titles Act, 1921 (Bom. Act 2 of 1921), Vol. V of this Code.

Bom. Act 13 of 1866 has been declared, by notification under the Scheduled Districts Act, 1874 (14 of 1874), General Acts Vol. II, to be in force in the Province of Sindh, *see* Appendix to Vol. I of this Code.

and by such summons to require the person so summoned to produce before the said Council all such books, deeds, writings and documents as to the said Council shall appear necessary for obtaining information as to the matter so under consideration;

and every person so summoned shall, according to the exigency of the summons, attend before the said Council and produce such books, deeds, writings and documents as shall be in his possession, power or control.

Administration of oath.

2. It shall be lawful for the said Secretary or any other officer appointed in that behalf by the Governor of Bombay to administer an oath [1] * * in such form as to the said Council shall seem fit, to any person appearing in obedience to such summons as aforesaid; and the person to whom such oath [1] * * shall be administered shall be bound to state the truth. But nothing herein contained shall prevent such person from giving evidence without oath [1] * * if the said Council shall think it expedient that the evidence should be so given.

Powers against persons failing to appear.

3. If any person upon whom any such summons shall be served by the delivery thereof to him, or leaving thereof at his usual or last known place of abode, shall, without such cause as may be deemed reasonable by the said Governor of Bombay, fail to appear before the said Council at the time and place mentioned in the summons, or shall refuse to make oath [1] * * as required, or shall not make answer to such questions as shall be put to him touching the matter under consideration as aforesaid, or shall refuse or fail, without such cause as may be deemed reasonable by the said Governor of Bombay, to produce to the said Council any book, deed or writing in his possession, power or control as by the said Council he shall be required to produce (whether mentioned in the summons or not), the Governor of Bombay shall, on the report of the said Council that such failure or refusal has taken place, have the power by warrant under his hand to direct that such person be apprehended, and committed to and detained in close custody in a place and for a time specified in the warrant, until he shall comply to the satisfaction of the said Council with such requisitions as have been made on him touching his examination.

The warrant shall specify the person or persons by whom such apprehension, committal and detention shall be made.

Expenses of witnesses.

4. Whenever a summons is issued for the attendance of a witness under this Act, such witness shall be entitled to receive from the Collector or Commissioner of the district or place in which the witness resides such expenses as he would have been entitled to receive if summoned as a witness before the principal Court of original civil jurisdiction within the local limits of which he shall be residing.

[1] The words " or affirmation " were repealed by the Bombay General Clauses Act, 1886 (Bom. Act 3 of 1886), Schedule B. This Schedule has been printed as an Appendix to the Bombay General Clauses Act, 1904 (Bom. Act 1 of 1904), Vol. IV of this Code.

5. [*Application of ss. 21 and 32 of Act II of 1855.*] *Rep. Act XII of 1876.*

6. The word "Council" shall include any Select Committee of the Council of the Governor of Bombay assembled for the purpose of making Laws and Regulations under the provisions of the [1]Indian Councils Act, 1861: Interpretation clause.

24 & 25 Vict., c. 67.

the word "Secretary" shall mean the Secretary to the Government of Bombay in the Legislative or Judicial Department, and shall include an Under-Secretary, Assistant Secretary and Deputy Secretary to the Government of Bombay.

BOMBAY ACT No. XIV OF 1866.[2]

[THE EDULÁBÁD AND WARANGÁON PARGANAS LAWS ACT, 1866.]

[*7th December, 1866.*]

An Act to bring the parganas of Edulábád and Warangáon under the general Regulations and Acts of the Presidency of Bombay.

PREAMBLE. [*Rep. Act XII of 1876.*]

1. [*Subjection of Parganas Edulábád and Warangáon to Regulations and Acts of Bombay Presidency.*] *Rep. Act XII of 1876.*

2. [*Bar of jurisdiction of Civil Courts in certain cases.*] *Rep. Act X of 1876.*

3. The privileges and exemptions provided in Privileges and exemptions of certain persons of rank.

sections 3, 4 and 5, Regulation XXIX, A.D. 1827[3] (*A Regulation for bringing under the operation of the Regulations the Bombay territories in the Dekkhan and Khándesh*), and

section 5 of [3]Regulation VII, A.D. 1830 (*A Regulation for bringing under the operation of the Regulations the territories comprised in the Southern Marátha Country, belonging to the Honourable Company, and forming the said territories into a zila*), and

[3]Regulation I, A.D. 1831 (*A Regulation for extending the jurisdiction of the Agent of Government, acting under the provisions of section 4, Regulation XXIX of 1827,*[3] *over suits in which persons of rank of the*

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[1] *See* now the Government of India Act.

[2] For Statement of Objects and Reasons, *see* Bombay Government Gazette, 1866, Supplement, p. 414, and for Proceedings in Council, *see ibid*, pp. 430 and 443.

The short title was given by the Bombay Short Titles Act, 1921 (Bom. Act 2 of 1921), Vol. V of this Code.

[3] Vol. I of this Code.